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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/253,783	02/22/1999	SHINICHI HATAE	35.C13342	6059

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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

TRAN, THIEN D

ART UNIT PAPER NUMBER

2665

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/253,783

Applicant(s)

HATTA ET AL.

Examiner

Thien D Tran

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 February 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Drawings*

1. Figure 1 should be designated by a label such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-17, 20, 22-33 rejected under 35 U.S.C. 102(b) as being participated by Troxel (U.S. Patent No 6,185,210 B1).

Regarding claims 1, 7-11, Troxel discloses a data communication system comprising:

source node for transferring asynchronously object data segmented into one or more segments by using a logical connection relationship set between one or more destination nodes and said source node (col.1 lines 40-47, col.22 line 28); and

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a controller for setting the logical connection relationship between said source node and said one or more destination nodes (col.24 lines 27-30);

wherein a size of the segment is set in accordance with a reception capability of said one or more destination nodes (col.15 lines 65-67).

Regarding claims 12-17, 20, 22, 23, 25, Troxel discloses data communication system comprising:

a source node for point-to-multipoints (broadcasting) an object data segmented into one or more segments by using the logical connection relationship set between one or more destination nodes and said source node (col.11 lines 40-55); and

one or more destination nodes for receiving the object data broadcasts from said source node by using said logical connection relationship;

wherein the size of said segment is set in accordance with a reception capability of said one or more destination nodes (col.15 lines 65-67).

Regarding claims 24, 26-33, Troxel discloses a data communication method comprising steps of:

setting a logical connection relationship between the source node and one or more destination nodes; and

transferring asynchronously the object data segmented into one or more segments using the logical connection relationship (col.13 lines 5-10),

wherein a size of the segment is set in accordance with a reception capability of said one or more destination nodes.

Regarding claims 2, 3, Troxel discloses that the source node performs the asynchronous transfer continuously (col.4 lines 45-50).

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Regarding claims 4, 5, 6, Troxel disclose the logical connection relationship is identified by a connection ID set by said controller (col.8 lines 1-15).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 18, 19, 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Troxel (U.S. Patent No 6,185,210 B1).

Regarding claims 18, 19, 21, Troxel does not disclose the network using IEEE 1394-1995 standard, which would have been obvious to one having ordinary skill in the art because the standard allows data transmission between nodes more efficient than many existent standard. Therefore, using IEEE 1394-1995 is just a design of choices for economical benefits.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Johnson et al (US Patent No. 5,539,736) discloses method for providing LAN address discovery and terminal emulation for LAN-CONNECTED personal computer (PCS using Xerox network system.

-Brockhage et al (US Patent No. 5,987,030) discloses transparent circuit emulation for packet switching network.

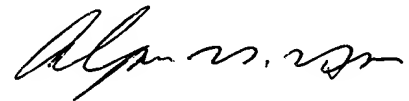
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-Jurkevich et al (US Patent No. 5,615,212) discloses frame compression in integrated services network.

8. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thien Tran whose telephone number is (703) 308-4388. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (703) 308-6602. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Thien Tran



ALPUS H. HSU  
PRIMARY EXAMINER